



**AGENDA, TROY CITY COUNCIL**  
**MONDAY, MARCH 6, 2017, 7:00 P.M.**  
**COUNCIL CHAMBERS, CITY HALL**

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

excuses by motion/second/roll call vote

PUBLIC HEARING

R-22-2017

Application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain 105 acres in the agricultural district.

SUMMARY OF MINUTES

February 21, 2017 Meeting

motion/second/roll call vote

COMMITTEE REPORTS

RESOLUTIONS

R-19-2017	Accept recommendations of the Tax Incentive Review Council, annual review of Enterprise Zones Agreements	EMERGENCY	1 <sup>st</sup> Reading
R-20-2017	Accept recommendations of the Tax Incentive Review Council, TIF	EMERGENCY	1 <sup>st</sup> Reading
R-21-2017	Approve Complete Streets Policy		1 <sup>st</sup> Reading
R-22-2017	Application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain 105 acres in the agricultural district.	PUBLIC HEARING 3-6-2017	1 <sup>st</sup> Reading

ORDINANCES

O-7-2017	Dedicate 0.310 acres as Right-of-Way at 3035 McKaig Road		1 <sup>st</sup> Reading
O-8-2017	Amend Zoning Code to prohibit cultivators or processors of medical marijuana	PUBLIC HEARING 3-20-2017	1 <sup>st</sup> Reading
O-9-2017	Amend Zoning Code to permit one retail dispensary of medical marijuana only within the B-4 Zoning District	PUBLIC HEARING 3-20-2017	1 <sup>st</sup> Reading

COMMUNICATIONS/ANNOUNCEMENTS

COMMENTS: Mayor, Director of Public Service & Safety, Director of Law, Auditor, Council President

COMMENTS: Council

COMMENTS: Staff

COMMENTS: Audience

ADJOURN

NOTE: Committee meetings may take place prior to or following Council meeting

**CITY OF TROY MISSION STATEMENT:**

*Through sound and prudent leadership, the City of Troy is committed to sustaining its continued prominence as a regional hub by providing a well-balanced community for its residents, businesses and visitors, consisting of a vibrant downtown, growing economic base, strong educational environment, and plentiful recreational opportunities strengthened by public/private cooperation and grounded in financial stability.*

## DISPOSITION OF ORDINANCES AND RESOLUTIONS

**Date of Meeting: March 6, 2017**

### **Troy City Council Meeting**

DESCRIPTION	RESOLUTION NO.	1ST READING	2ND READING	3RD READING	PUBLIC HEARING	SUSPENSION	ADOPTION
Accept report re Enterprise Zone Agreements	R-19-2017						
Accept report re TIF	R-20-2017						
Approve Complete Streets Policy	R-21-2017						
Neal Farms Agricultural District	R-22-2017				3/6/2017		
	<b>ORDINANCE NO.</b>						
Dedicate R/W along McKaig Road	O-7-2017						
Medical Marijuana - Prohibit Cultivation and Processing	O-8-2017				3/20/2017		
Medical Marijuana -Permit 1 dispensary only in B-4 District	O-9-2017				3/20/2017		

## MINUTES OF COUNCIL

A regular session of Troy City Council was held Tuesday, February 21, 2017, at 7:00 p.m. in Council Chambers.

Members Present: Kendall, Oda, Phillips, Schweser, Snee, Terwilliger, Tremblay and Twiss.

Upon motion of Mr. Kendall, seconded by Mr. Twiss, Mr. Heath was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker President of Council

Others Present: Michael L. Beamish Mayor  
Patrick E. J. Titterington Director of Public Service and Safety  
Grant D. Kerber Director of Law

INVOCATION: An invocation was given by Mr. Phillips. The Pledge of Allegiance followed the invocation.

MINUTES: The Clerk gave a summary of the minutes of the February 6, 2017 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Phillips, seconded by Mr. Schweser, to approve these minutes. Motion passed by unanimous roll call vote.

### COMMITTEE REPORTS:

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends legislation be prepared stating opposition to the Governor's budget based on the severe negative impact that the Governor's proposed budget would have on the collection of municipal income tax and other revenues. So that the opposition is stated prior to the legislature considering the budget, Committee support emergency legislation. Report signed by Schweser, Tremblay and Kendall.

Personnel Committee: Mr. Terwilliger, Chairman, gave an oral report regarding the Mayor's request for approval of a reappointment to the Miami County Board of Health. A motion was made by Mr. Terwilliger, seconded by Mr. Kendall, that Council approves the reappointment of Theodore C. Ristoff to the Miami County Board of Health for a new five-year term from April 1, 2017 through March 31, 2022. Motion passed by unanimous roll call vote.

Street & Sidewalks Committee: Mr. Phillips, Chairman, reported as follows:

1. As requested by the Ohio Department of Transportation (ODOT), Committee recommends legislation be prepared to reflect that ODOT will provide funding participation for the SR 41 Signal Interconnect Phase 1 Project. In accordance with the standard ODOT format, Committee supported emergency legislation.
2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the CDBG PY 2016 Corner Curb Ramp Project at a cost not to exceed \$85,000, with Committee noting the cost of the project will be funded by CDBG funds.

Reports signed by Heath, Snee and Phillips.

### CITIZEN COMMENTS:

Lester Conard, 1210 S. Clay Street, stated he found it humorous that the City objects to the State taking the City's revenues, but the City does the same thing to the citizens.

### RESOLUTION NO. R-16-2017

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CDBG PY 2016 CORNER CURB RAMP PROJECT

This Resolution was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Kendall, Snee, Schweser, Terwilliger, Phillips, Tremblay, Oda and Twiss.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Snee, Schweser, Terwilliger, Phillips, Tremblay, Oda, Twiss and Kendall.

No: None.

RESOLUTION ADOPTED



## RESOLUTION NO. R-17-2017

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION RELATED TO FUNDING FOR THE SR41 TRAFFIC SIGNAL INTERCONNECT PROJECT PHASE 2, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Schweser, Terwilliger, Phillips, Tremblay, Oda, Twiss, Kendall and Snee.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Twiss.

Yes: Terwilliger, Phillips, Tremblay, Oda, Twiss, Kendall, Snee and Schweser.

No: None.

RESOLUTION ADOPTED

## RESOLUTION NO. R-18-2017

A RESOLUTION STRONGLY OPPOSING THE STATE OF OHIO GOVERNOR'S PROPOSED 2018-2019 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF NET PROFIT TAX RETURNS AND OTHER DISASTROUS PROVISIONS, AS DETRIMENTAL TO LOCAL GOVERNMENTS AND WHICH WILL RESULT IN FURTHER SIGNIFICANT LOSS OF REVENUE NEEDED TO SUPPORT THE HEALTH, SAFETY, WELFARE, AND ECONOMIC DEVELOPMENT EFFORTS OF OHIO'S COMMUNITIES, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Phillips, Tremblay, Oda, Twiss, Kendall, Snee, Schweser and Terwilliger.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Twiss.

Yes: Tremblay, Oda, Twiss, Kendall, Snee, Schweser, Terwilliger and Phillips.

No: None.

RESOLUTION ADOPTED

## ORDINANCE NO. O-6-2017

ORDINANCE RELEASING MORTGAGE LIEN FOR ROY AND JEAN C. BAKER AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Kendall.

Yes: Oda, Twiss, Kendall, Snee, Schweser, Terwilliger, Phillips and Tremblay.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Twiss, Kendall, Snee, Schweser, Terwilliger, Phillips, Tremblay and Oda.

No: Oda.

ORDINANCE ADOPTED

COMMENTS OF MAYOR BEAMISH: Mayor Beamish commented:

-Thanked Council for approving the reappointment of Mr. Ristoff to the Board of Health.

-Noted that the 2017 Strawberry Festival Kickoff will be held February 22.

-Stated he will be transmitting copies of R-18-2017 to the Governor, the State Representative and the State Senator.

AUDIENCE COMMENTS:

-Lester Conard, 1210 S. Clay Street, asked if there is a senior or Veteran discount for sidewalk work, and was advised there is not.

-An 8<sup>th</sup> grade student apologized to the City for vandalizing the Bakehouse Bread building. She said she has apologized to the owners, is working to clean up the damage, and she is also picking up trash around the Square. Mrs. Baker stated that the apology was appreciated, and that she appreciates the student's courage for coming forward to apologize and for committing to remedying the damage.

There being no further business, Council adjourned at 7:22 p.m.

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council

DATE: February 27, 2017

FROM: Community & Economic Development Committee

SUBJECT: DEDICATION OF 0.310 ACRES OF RIGHT-OF-WAY, 3035 McKAIG ROAD, PART OF IL 7833

SUMMARY REPORT: *(to be read at Council meeting)*

This Committee met on February 27 to consider the recommendation of the Troy Planning Commission that Council accepts the dedication of 0.310 acres of right-of-way of existing Inlot 7833, located at 3035 McKaig Road.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that legislation be prepared accepting the dedication of 0.310 acres of right-of-way, currently part of Inlot 7833, located at 3035 McKaig Road.

Respectfully submitted,

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Thomas M. Kendall

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John W. Schweser

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William C. Twiss, Chairman  
Community & Economic Development Committee

DETAILED REPORT:

This Committee met on February 27, 2017 to consider the recommendation of the Troy Planning Commission to accept the dedication of 0.310 acres of right-of-way of existing Inlot 7833 located at 3035 McKaig Road. The meeting was also attended by Council President Baker, the Director of Public Service and Safety, and members of the City staff.

The Troy Planning Commission recommended that Council accept the dedication of 0.310 acres of right-of-way of existing Inlot 7833, located at 3035 McKaig Road, just east of Concord Elementary School.

The right-of-way is part of a replat that will contain five new parcels, and is considered a minor subdivision. This replat does not require Planning Commission review or Council approval. It can be approved by the City Engineer. However, staff requested the property owner dedicate the right-of-way, and Council action is required to accept the right-of-way.

RECOMMENDATION:

It is the recommendation of this Committee that legislation be prepared accepting the dedication of 0.310 acres of right-of-way, currently part of Inlot 7833, located at 3035 McKaig Road.

cc: Council  
Mayor  
Mr. Kerber  
Mr. Frigge  
Mr. Titterington  
Clerk  
staff, media

COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Finance Committee  
SUBJECT: RECOMMENDATIONS – TAX INCENTIVE REVIEW COUNCIL

DATE: February 27, 2017

**SUMMARY:** *(to be read at Council meeting)*

This Committee met on February 27 to review the recommendations of the Tax Incentive Review Council (TIRC) regarding the compliance status of the Troy Towne Park TIF and the six Enterprise Zone Agreements that were in place as of December 31, 2016. Such review and report is required on an annual basis. The TIRC has recommended that the TIF Agreement be continued, that Agreement # 29 be terminated as it has expired, and that the remaining five Enterprise Zone Agreements be continued as all Agreements are in full compliance.

**RECOMMENDATION:** *(to be read at Council meeting)*

This Committee recommends that legislation be prepared accepting the recommendation of the TIRC:

- That five Enterprise Zone Agreements (28, 33, 34, 35 and 36) be continued as they are in full compliance.
- That Agreement # 29 (Ishmael Precision Tool Corporation) be terminated as the agreement has expired.
- That the Troy Towne Park TIF be continued.

In that the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF, we support emergency legislation.

Respectfully submitted,

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John W. Schweser

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Douglas W. Tremblay

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Thomas M. Kendall, Chairman  
Finance Committee

**DETAILED REPORT**

This Committee met on February 27, 2017 to review the recommendations of the Tax Incentive Review Council (TIRC) regarding the compliance status of the Troy Towne Park TIF and the six Enterprise Zone Agreements that were in place as of December 31, 2016. This meeting was also attended by Council President Baker, the Director of Public Service and Safety, and members of the City staff.

On an annual basis, the TIRC is required to meet, review the Agreements, and provide a recommendation to Council. As set forth in the ORC, the TIRC shall "after taking into consideration any fluctuations in the business cycle unique to the owner's business, and, on the basis of such determinations, submit to the legislative authority written recommendations for continuation, modification, or cancellation of the agreement". The recommendations of the TIRC are attached, and summarized below:

- That the Troy Towne Park TIF be continued.
- That EZ agreement # 29 (Ishmael Precision Tool Corporation) be terminated as it has expired and the related tax benefits have been exhausted.
- The remaining five Enterprise Zone Agreements were found to be in full compliance and recommended for continuance. All agreements actually exceed the employment commitments. These Agreements are:

EZ #28	American Honda Motor Co., Inc., 2005 Agreement
EZ #33	ConAgra Foods Packaged Foods, LLC, 2010 Agreement
EZ #34	ConAgra Foods Packaged Foods, LLC, 2012 Agreement
EZ # 35	Clopay Building Products Company, Inc., 2015 Agreement
EZ # 36	Arc Abrasives, Inc., 2015 Agreement

The City is required to file annual status reports regarding the status of the Enterprise Zone Agreements and the TIF with the Ohio Development Services Agency by the end of March.

**RECOMMENDATION:**

This Committee recommends that legislation be prepared accepting the recommendation of the TIRC:

- That five Enterprise Zone Agreements (28, 33, 34, 35 and 36) be continued as they are in full compliance.
- That Agreement # 29 (Ishmael Precision Tool Corporation) be terminated as the agreement has expired.
- That the Troy Towne Park TIF be continued.

In that the City must file an annual report with the Ohio Development Services Agency by the end of March regarding the continuance of the Agreements and the TIF, we support emergency legislation.

encl.

cc: Council, Mayor, Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk, media, file

**Tax Incentive Review Council  
Enterprise Zone Agreements  
Summary and Review Recommendations  
February 24, 2017**

**American Honda Motor Co., Inc. – EZA # 28** (2005 agreement)

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**Arc Abrasives, Inc. – EZA # 36** (2015 agreement)

This project is still in its investment/construction phases; job creation numbers are already increased. The TIRC recommended continuance of the agreement.

**Clopay Building Products, Inc. – EZA # 35** (2015 agreement)

This new project is still in its investment/construction phases; job creation goals have already been exceeded. The TIRC recommended continuance of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 33** (2010 agreement)

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 34** (2012 agreement)

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**Ishmael Precision Tool Corporation – EZA # 29** (2005 agreement)

The Agreement has expired. The TIRC recommended termination of the agreement due to it expiring.

Respectfully Submitted

City of Troy Tax Incentive Review Council



COMMITTEE REPORT  
TROY CITY COUNCIL

TO: Mrs. Baker, President of Council  
FROM: Streets & Sidewalks Committee  
SUBJECT: COMPLETE STREETS POLICY

DATE: February 21, 2017

SUMMARY REPORT: *(to be read at Council meeting)*

Committee members Phillips and Snee met on February 21 to consider the recommendation of the Troy Planning Commission that the City of Troy Complete Streets Policy be approved. As discussed in the detailed report, the City's proposed policy conforms to the Miami Valley Regional Planning Commission (MVRPC) Complete Streets Policy. There are a number of benefits of having this policy in place, including meeting criteria when the City is seeking federal and state funding administered through MVRPC. It was also discussed that this is a fluid plan, to be implemented where possible and feasible with new construction, reconstruction, or development, but it will not result in a new capital construction program. The policy is also to be reviewed every two years so it adapts to adjustments as necessary.

RECOMMENDATION: *(to be read at Council meeting)*

It is the recommendation of this Committee that the recommendation of the Troy Planning Commission be supported and legislation be prepared to adopt the Complete Streets Policy of the City of Troy.

Respectfully submitted,

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Brock A. Heath

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Lynne B. Snee

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Bobby W. Phillips, Chairman  
Streets & Sidewalks Committee

DETAILED REPORT:

Committee members Phillips and Snee met on February 21, 2017 to consider the recommendation of the Troy Planning Commission that the City of Troy Complete Streets Policy be approved. This meeting was also attended by Mayor Beamish, Council President Baker, Council Members Kendall, Oda and Terwilliger, the Director of Law, the Director of Public Service and Safety, and members of the City staff.

The City's proposed Complete Streets Policy conforms to the Miami Valley Regional Planning Commission (MVRPC) Complete Streets Policy. Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages and abilities, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. The adoption of the City of Troy Complete Streets Policy, with its conformance to the MVRPC Complete Street Policy may help City projects to remain competitive when seeking federal and state funding administered through MVRPC. The Complete Streets Policy would be incorporated into Chapter 8 of the Comprehensive Plan, which is currently being revised. Maps that are part of the policy depict the trail connectivity plan along with proposed bike lane types, future thoroughfare improvements, and all thoroughfare classifications. The policy addresses the areas of Vision, Definition, Purpose, Goals, Applicability, Implementation, Performance Measures, and Evaluation. As discussed by the Committee and members of Council, it was noted:

- This is a fluid policy and is intended to be review and updated every two years to take into account technology and legal changes, as well new or changed projects, and other impacts on the policy.
- The policy is not intended to result in a mass update and costly capital improvements; rather, as there is new construction or re-construction, and development, to the extent possible and feasible the Complete Streets Policy will be incorporated as part of the work. In time and where possible, this is expected to result in more connection of areas where transportation delineations such as bike paths and/or lanes currently exist but do not connect.



- In addition to conforming to the MVRPC Policy and being in place as a funding requirement, the approval and implementation of the policy will help support the City's Bike Friendly classification. It was discussed that while maintaining (or improving) the current classification can have a bearing on the status of a community, the process of working for the classification is equally important. The process includes educational components (helmet distribution programs, medical ID on the helmet, rules of the road, health benefits from riding, etc.) and economic components (the trails and connections that bring people into a community, the relationships built with other entities, etc.).

**RECOMMENDATION:**

It is the recommendation of this Committee that the recommendation of the Troy Planning Commission be supported and legislation be prepared to adopt the Complete Streets Policy of the City of Troy.

cc: Council  
Mayor  
Mr. Kerber, Mr. Frigge, Mr. Titterington, Clerk  
Staff  
Media

**RESOLUTION No. R-19-2017**

Dayton Legal Blank, Inc.

**RESOLUTION ACCEPTING THE RECOMMENDATIONS  
OF THE TAX INCENTIVE REVIEW COUNCIL AND  
DECLARING AN EMERGENCY**

**WHEREAS**, Ohio Revised Code Section 5709.61 through 5709.69 have authorized counties, with the consent and agreement of affected municipalities therein, to designate an Enterprise Zone and to execute agreements with certain enterprises for the purpose of establishing, expanding, renovating or occupying facilities and hiring new employees and preserving jobs within said zones in exchange for specified local tax incentives granted by the county, and

**WHEREAS**, on August 19, 1994, the Director of the Ohio Department of Development certified the petition of Miami County and the City of Troy as Enterprise Zone No. 279C and certified an amendment to the Enterprise Zone on December 20, 1996; and

**WHEREAS**, in accordance with ORC Section 5709.85 the duly appointed Tax Incentive Review Council met on February 24, 2017; and

**WHEREAS**, the Tax Incentive Review Council submits for City Council consideration their review of each of the Enterprise Zone Agreements,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, as follows:

**SECTION I:** That the Council of the City of Troy, Ohio, hereby accepts the recommendation of the Tax Incentive Review Council dated February 24, 2017, attached hereto as Exhibit A, that certain Enterprise Zone Agreements be continued, and Enterprise Zone Agreement #29 be terminated as the Agreement has expired.

**SECTION II:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that the City must file an annual report of the status of the Enterprise Zone Agreements with the Ohio Development Services Agency by the end of March, NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

**EXHIBIT A**

**Tax Incentive Review Council  
Enterprise Zone Agreements  
Summary and Review Recommendations  
February 24, 2017**

**American Honda Motor Co., Inc. – EZA # 28 (2005 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**Arc Abrasives, Inc. – EZA # 36 (2015 agreement)**

This project is still in its investment/construction phases; job creation numbers are already increased. The TIRC recommended continuance of the agreement.

**Clopay Building Products, Inc. – EZA # 35 (2015 agreement)**

This new project is still in its investment/construction phases; job creation goals have already been exceeded. The TIRC recommended continuance of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 33 (2010 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**ConAgra Foods Packaged Foods, LLC – EZA # 34 (2012 agreement)**

In compliance with all pledges. The TIRC recommended continuation of the agreement.

**Ishmael Precision Tool Corporation – EZA # 29 (2005 agreement)**

The Agreement has expired. The TIRC recommended termination of the agreement due to it expiring.

Respectfully Submitted

City of Troy Tax Incentive Review Council

**RESOLUTION No. R-20-2017**

Dayton Legal Blank, Inc.

**RESOLUTION ACCEPTING THE RECOMMENDATION OF  
THE TAX INCENTIVE REVIEW COUNCIL FOR THE TROY  
TOWNE PARK TIF AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Troy by Ordinance No. O-46-03 created the Troy Towne Park Tax Increment Financing (TIF) program in accordance with Ohio Revised Code Section 5709.40 *et seq.*, and

**WHEREAS**, in accordance with ORC Section 5709.85 the duly appointed Tax Incentive Review Council met for its annual review on February 24, 2017; and

**WHEREAS**, the Tax Incentive Review Council recommended continuation of the Troy Towne Park TIF.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, as follows:

**SECTION I:** That the Council of the City of Troy, Ohio, hereby accepts the recommendation of the Tax Incentive Review Council dated February 24, 2017, for the continuation of the Troy Towne Park TIF.

**SECTION II:** That this Resolution is an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Troy, Ohio, and for the further reason that the City must file an annual report of the status of the Troy Towne Park TIF with the Ohio Development Services Agency by the end of March, NOW WHEREFORE this Resolution shall be effective immediately upon its adoption and approval by the Mayor.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor



**RESOLUTION No.** R-21-2017

Dayton Legal Blank, Inc.

**RESOLUTION ADOPTING THE CITY OF TROY, OHIO  
COMPLETE STREETS POLICY AS PART OF THE CITY OF  
TROY COMPREHENSIVE PLAN**

**WHEREAS,** the Planning Commission of the City of Troy, Ohio, has reviewed the Complete Streets Policy of the City of Troy, Ohio, and recommended that it be approved by Troy City Council as part of the City of Troy Comprehensive Plan; and

**WHEREAS,** Complete Streets are facilities designed and operated to safely and comfortably accommodate users of all ages and abilities, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street; and

**WHEREAS,** the Complete Streets philosophy is a logical extension of the Americans with Disabilities Act and helps to expand access for people with disabilities and older residents of the City; and

**WHEREAS,** there are multiple environmental, economic and health benefits that can be derived from building streets and roads that encourage active transportation (transit use, biking and walking); and

**WHEREAS,** the Federal Highway Administration, the Ohio Department of Transportation, and over a hundred jurisdictions across the country have adopted Complete Streets policies or made policy statements supporting Complete Streets; and

**WHEREAS,** adoption of the Complete Streets Policy would ensure that City of Troy projects conform to the MVRPC Complete Streets Policy, which may help Troy projects to remain competitive when seeking federal and state funding; and

**WHEREAS,** the Complete Streets Policy will be reviewed and updated as necessary based on a two-year schedule.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, Ohio as follows:

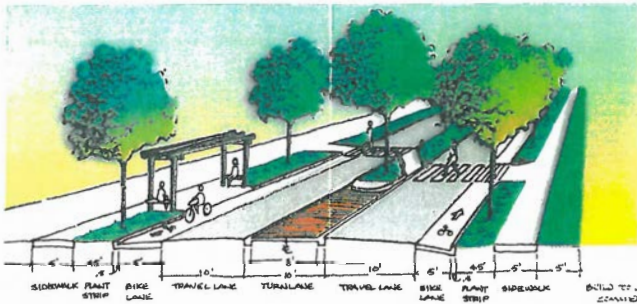
**SECTION I:** That the Council of the City of Troy, Ohio hereby adopts the Complete Streets Policy, attached hereto as Exhibit A as part of the Comprehensive Plan of the City of Troy, Ohio, with the Complete Streets guidelines applied to local projects as appropriate and developers encouraged to apply complete streets principles to their projects.

**SECTION II:** That this Resolution shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor



## Complete Streets Policy

Adopted \_\_\_\_\_, 20\_\_\_\_

Resolution No. \_\_\_\_\_

### Vision

The vision of this Policy is to create a comprehensive, integrated, balanced, and connected transportation network where all users can travel safely and comfortably to promote a more livable community.

### Definition

Complete streets are facilities designed and operated to safely and comfortably accommodate users of all ages, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, and emergency responders to move along and cross the street. "User" includes people of all ages and abilities.

### Purpose

This Policy is intended to incorporate the needs of all users through the planning, design, approval, and implementation processes for any construction, reconstruction, and retrofit of streets in the transportation network, including pavement resurfacing, restriping and signalization operations if the safety and convenience of users can be improved within the scope of the work. Providing various forms of transportation will increase public health, reduce demand for motor vehicles by contributing to walkable neighborhoods which can foster interaction, create a sense of community pride and improve quality of life.

It is intended that this Policy, located in the City of Troy Comprehensive Plan, ensures city projects conform to the Miami Valley Regional Planning Commission Complete Street Policy, which implies city projects will remain competitive when seeking federal and state funding administered through this agency.

### Goals

1. Incorporate the vision, purpose and goals of this Policy into all aspects of the project development process for transportation projects within the City.
2. Create a balanced, interconnected transportation network consistent with the Comprehensive Plan and other relevant policies of the City.
3. Promote the use of the best design standards including AASHTO, MUTCD, ADAAG and others as related. Methods for providing flexibility within safe design parameters will be considered.
4. Increase transportation choices to avoid traffic congestion and increase the overall capacity of the transportation network.
5. Improve safety by the design and accommodation for cyclist and pedestrians.
6. Encourage walking and cycling by providing a safe network to help people of all ages and abilities to get physical activity.
7. Encourage businesses to provide bicycle parking for staff and patrons.

### **Applicability**

This Policy applies to all projects, including new construction, rehabilitation, repair, resurfacing, and maintenance of transportation network facilities located within the Public right-of-way or on public or private land. Projects approved or designed before the adoption of this Policy are exempt. All other projects are subject to this Policy.

#### ***Review Process***

All transportation projects within the public right-of-way, publicly owned land, or within Planned Developments and subdivisions shall be reviewed for conformity with this policy.

#### ***Exemptions***

Exemptions to the Complete Streets Policy must be documented in writing by either the City Engineer or Planning & Zoning Manager with supporting data that indicates the reason for the decision and follows:

1. There is an absence of current and future need.
2. The cost of accommodations for a particular mode is excessively disproportionate to the need and potential benefit of a project.
3. The project involves minor ordinary maintenance activities, such as cleaning, sealing, patching and surface treatments.

### **Implementation**

1. Develop Complete Streets master transportation plan.
2. Evaluate each street and provide a classification type.
3. Implement recommendations to a Safe Routes to School Travel Plan and maintain local Safe Routes to Schools Program.
4. A systems approach should be used in developing roadway projects to ensure one mode of transportation does not prevent safe use by another mode.
5. Adjust Capital Improvement Plan to reflect a higher prioritization given to those projects that advance the vision and goals of the Complete Streets Policy.
6. Continue to evaluate traffic control devices with modification when necessary.
7. Implement recommendations of intersection improvements when development occurs.

### **Performance Measures**

1. Increase the number of miles of on-street bicycle routes with clearly marked accommodations.
2. Provide sidewalk connectivity throughout the city.
3. Increase the public and private development to install bicycle racks and other street furniture.

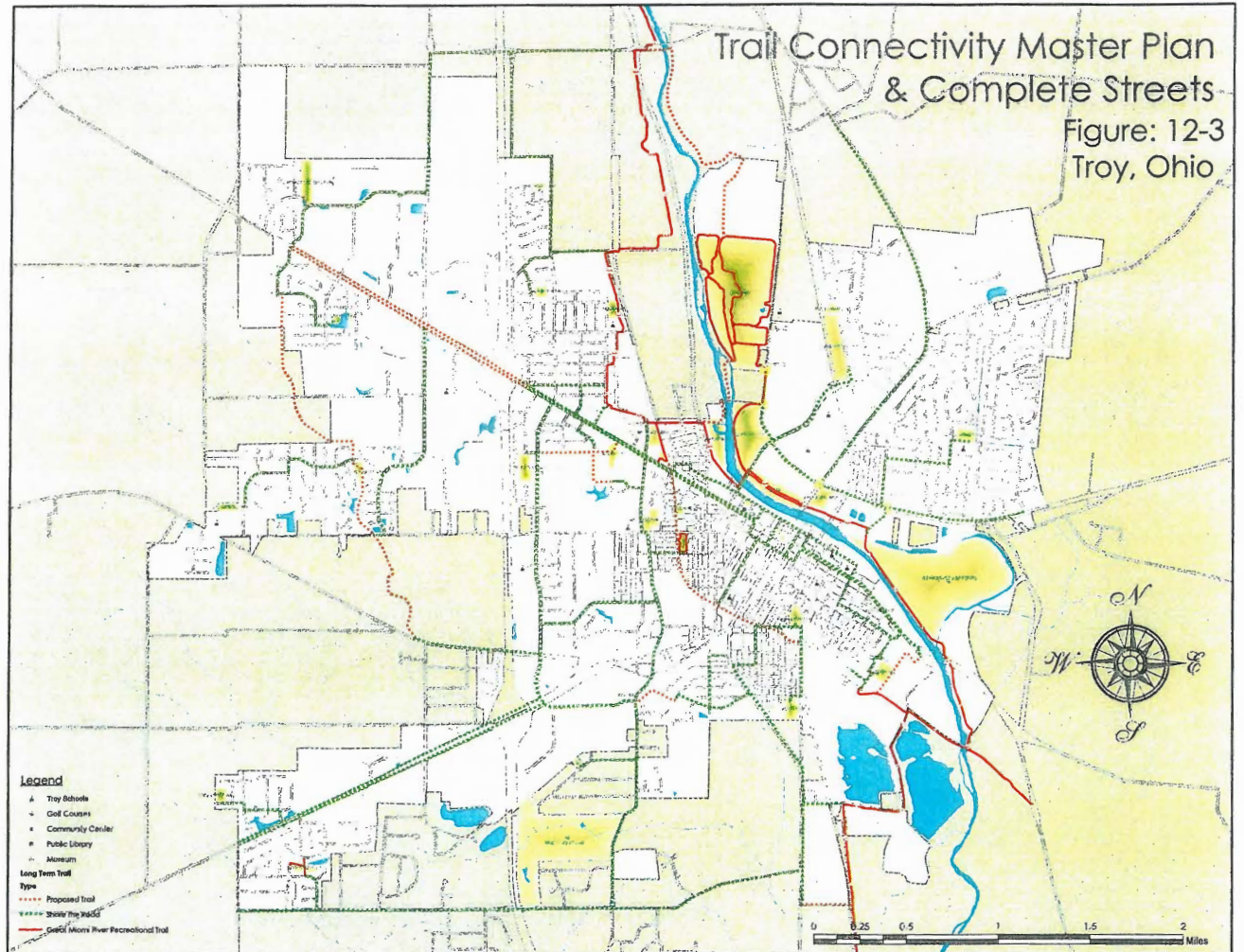
4. Provide training and education for staff, elected and appointed officials and citizens to continue to promote the goals included in this policy.

### **Evaluation**

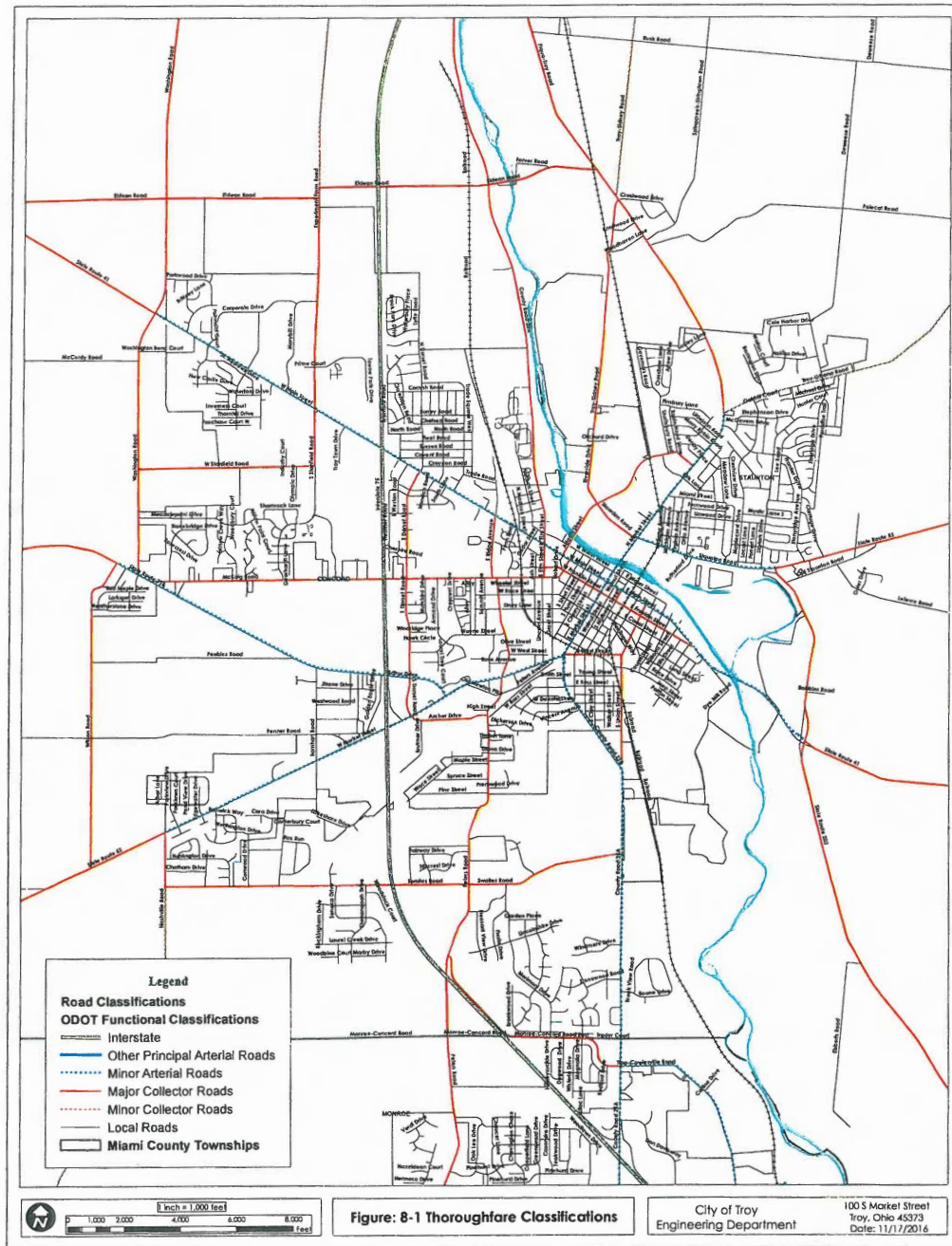
The City shall evaluate this policy and the documents associated with it every two years. The evaluation may include recommendations for amendments to the Complete Streets Policy.

# Trail Connectivity Master Plan & Complete Streets

Figure: 12-3  
Troy, Ohio







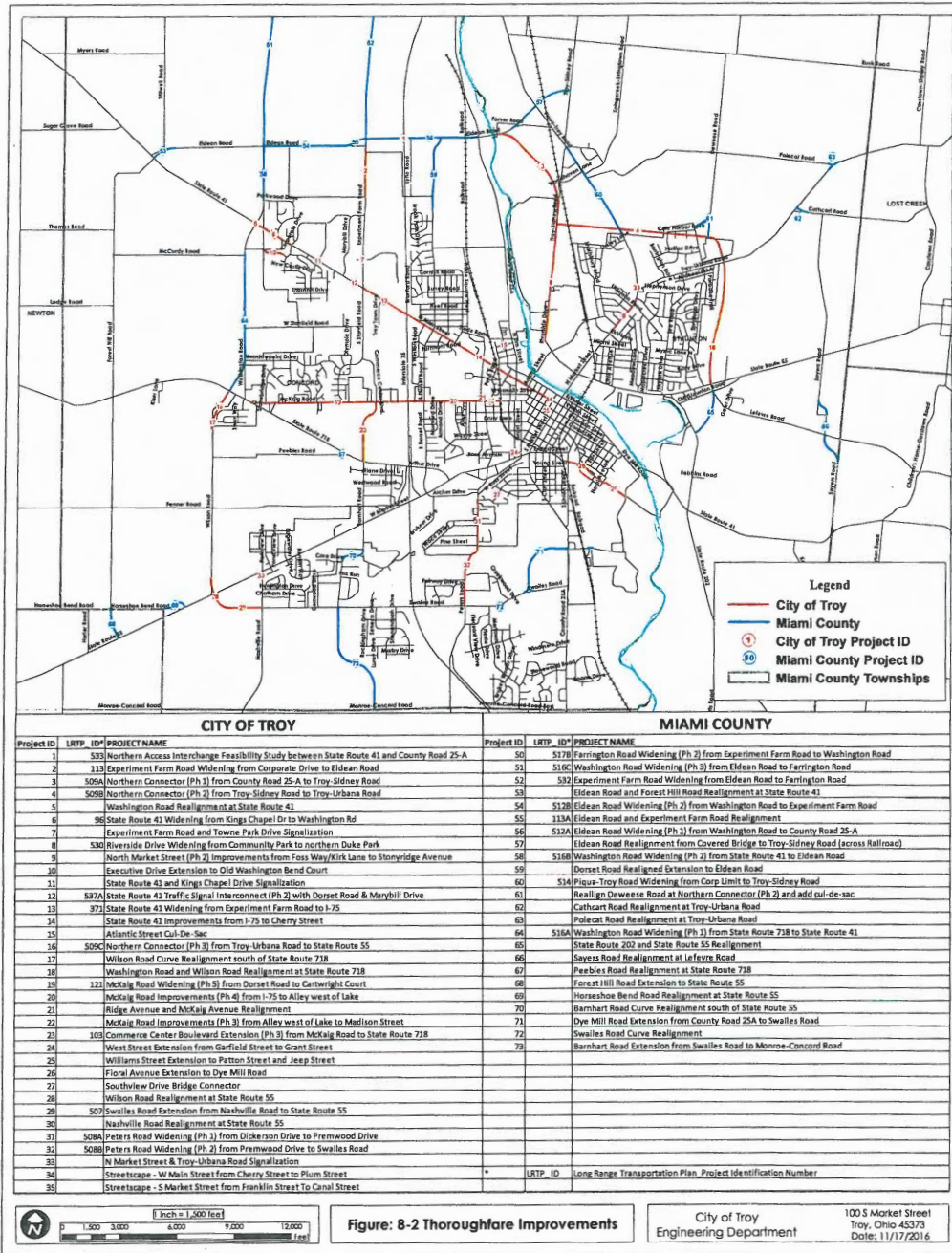


Figure: 8-2 Thoroughfare Improvements




City of Troy

Patrick E. J. Titterington  
Director of Public Service and Safety

100 S. Market Street  
P. O. Box 3003  
Troy, Ohio 45373  
[www.troyohio.gov](http://www.troyohio.gov)  
phone: (937) 335-1725  
fax: (937) 339-8601  
[patrick.titterington@troyohio.gov](mailto:patrick.titterington@troyohio.gov)

#### MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Patrick E. J. Titterington 

DATE: February 16, 2017

SUBJECT: APPLICATION FOR PLACEMENT OF FARMLAND IN AGRICULTURAL DISTRICT – NEAL MOORE FARMS LLC

---

#### RECOMMENDATION:

That the renewal application of Neal Moore Farms LLC for placement of farmland in an Agricultural District be considered by Council.

#### BACKGROUND:

As stated in the attached, the County has forwarded the application of Neal Moore Farms LLC, 1920 Experiment Farm Road, to have 105 acres of ground on Experiment Farm Road continue to be placed in an Agricultural District.

This request was made to the County Auditor, in accordance with ORC Section 929.02. As the property is within the corporate limits, the request must also be approved by the City. The ORC requires that the City hold a public hearing within 30 days of the date the application is filed and that Council make a determination within 30 days of the public hearing.

An application for these two parcels was processed in 2012. The designation is for five years, with renewal applications also considered by the City so that every five years the City is given the opportunity to determine if the land should continue to remain in an Agricultural District. The primary advantages to the property owner for being in an Agricultural District are:

- 1) The property owner can continue the current land use even though the land is now zoned M-2, Light Industrial District. (In other words, surrounding property owners have no basis to complain that an "agricultural" operation is taking place inside the City.)
- 2) Should the City decide to extend water and sewer across this property by assessment, the assessment would be deferred until any part of the land ceases to be used for agricultural purposes (i.e., land use change).

As far as the City is concerned, the only disadvantage in having the Neal property included in an Agricultural District is the same reason as in item 2 above – that is, if the City should assess the property, the collection of the assessment would be deferred. However, as noted above, the designation can only stand for five years, and renewal applications must be reviewed and acted upon by Council.

#### REQUESTED ACTION:

It would be appreciated if the Neal Agricultural District application could be assigned to a Committee of Council. As noted in the attached, the public hearing has been set for March 6. Council must then act no later than the April 3 meeting.

encl.





City of Troy

Sue G. Knight  
Clerk of Council

P. O. Box 3003  
Troy, Ohio 45373  
[www.troyohio.gov](http://www.troyohio.gov)  
phone: (937) 335-1725  
fax: (937) 339-8601  
[sue.knight@troyohio.gov](mailto:sue.knight@troyohio.gov)

**MEMORANDUM**

TO: Mrs. Baker, President of Council

FROM: Sue Knight

DATE: February 15, 2017

SUBJECT: Renewal Application, Placement of Farmland in Agricultural District –  
NEAL MOORE FARMS LLC

I have received the Renewal of Farmland in an Agricultural District application of Neal Moore Farms LLC (aka Neal Brothers Inc., Neal Farms Inc., and Martin Neal), signed by Phillip Neal for a total of 105 acres within the City of Troy. There are two parcels on Experiment Farm Road. This is a renewal application as the land was in an Agricultural District when annexed to the City. An application was previously received -- in 2012. A copy of the application is attached.

This application was filed with the County Auditor on February 10, 2017 in accordance with the Ohio Revised Code. If the property is within the corporate limits of a City, the request must also be approved by the municipality. The City is required to hold a public hearing within 30 days of the date the application is filed and Council must act on the application within 30 days of the public hearing. I have set the hearing for the March 6 meeting. The final date for Council consideration will be the Council meeting of April 3.

encl.



RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT  
(O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner **MUST FILE** a RENEWAL form PRIOR TO the **FIRST MONDAY IN APRIL** every fifth year with the MIAMI COUNTY Auditor

APPLICANT: NEAL MOORE FARMS LLC  
1920 ELDEAN / 2565 EXP FARM  
TROY OH 45373 USA

Application No: 358  
Original Year: 12/2007  
Renewal Year: 2017

Description of Land as shown on Property Tax Statement: Written below

Location of Property: MIAMI COUNTY - CONCORD & WASHINGTON TOWNSHIP

1. Do you want to renew the real estate list below in the AG District program? ☒ YES ☐ NO
2. Does any of the land lie within a municipal corporation limit? ☒ YES ☐ NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? ☒ YES ☐ NO (CAUV# 1094)
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? ☒ YES ☐ NO
5. If the total **acreage farmed** in this unit is **less than 10 acres**, show **gross income** produced from agricultural purposes for the **last three years**:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

TAX DIST	PARCEL NUMBER	ACRES
C06	C06-031800 6-5-5-W-PT NW	84.15
C06	C06-035500 5-7-13 W PT SE SE PT NE 5-7-13 N CEN PT NE	192.56
C06	C06-057200 6-5-8 PTS PT NW 6-5-17	64.58
C06	C06-058100 6-5-8 SPT NW & N PT SW	30.37
C06	C06-058200 6-5-17 CEN PT NE	5.67
C06	C06-058230 6-5-8 PT S PT NW	24.61
C06	C06-059700 6-5-7 E Side SE	40.32
C06	C06-059720 6-5-7 S PT SE	21.39
C06	C06-059730 6-5-7 PT W Side SE	40.32
C06	C06-080826 6-5-16 LOT 35	1.37
D08	D08-105802 IN LOT 10158	15.00
D08	D08-105804 IN LOT 10159	90.00
M43	M43-000001 6-6-32 SW PT SW 1	62.02

TOTAL ACRES 672.36

RECEIVED

FEB 10 2017

MIAMI COUNTY AUDITOR

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application. NEAL BROTHERS INC., NEAL FARMS INC., MARTIN NEAL

NEAL MOORE FARMS LLC By [Signature]

SIGNATURE OF OWNER

2-9-17

DATE

937-216-2268

PHONE NUMBER

**RESOLUTION No. R-22-2017**

Dayton Legal Blank, Inc.

**RESOLUTION APPROVING APPLICATION OF NEAL FARMS, INC. (AKA NEAL BROTHERS INC., NEAL MOORE FARMS LLC, AND MARTIN NEAL) TO RETAIN LAND IN AN AGRICULTURAL DISTRICT**

**WHEREAS**, the City has received an application from Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) to retain certain land Neal Farms, Inc. owns in the City of Troy into the agricultural district, and

**WHEREAS**, the Council has conducted a hearing on this matter.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I:** That the application of Neal Farms, Inc. (aka Neal Brothers, Inc., Neal Moore Farms, LLC, and Martin Neal) for retention of land in an agricultural district of the real estate described in Exhibit A, attached hereto and made a part hereof, and further described as Miami County Auditor Parcels D08105802 and D08-105804, is hereby approved.

**SECTION II:** That the Clerk of Council is hereby authorized and directed to notify all parties required to be notified under Section 929.02 of the Ohio Revised Code, and to take all other action necessary to make sure that the land is properly classified.

**SECTION III:** That this Resolution shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council Mayor

# Exhibit A

## RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT (O.R.C. Section 929.02)

TO CONTINUE in the Agricultural District, the owner MUST FILE a RENEWAL form PRIOR TO the FIRST MONDAY IN APRIL every fifth year with the MIAMI COUNTY Auditor

APPLICANT: NEAL MOORE FARMS LLC  
1920 ELDEAN / 2555 EXP FARM  
TROY OH 45373 USA

Application No: 358  
Original Year: 12/2007  
Renewal Year: 2017

Description of Land as shown on Property Tax Statement: Written below

Location of Property: MIAMI COUNTY - CONCORD & WASHINGTON TOWNSHIP

1. Do you want to renew the real estate list below in the AG District program? ☒ YES ☐ NO
2. Does any of the land lie within a municipal corporation limit? ☒ YES ☐ NO
3. Is the parcel(s) shown below presently being taxed at their Current Agricultural Use Valuation (CAUV) under section 5713.31, O.R.C.? ☒ YES ☐ NO (CAUV# 1094)
4. Is the parcel(s) shown below exclusively devoted to agricultural purposes? ☒ YES ☐ NO
5. If the total acreage farmed in this unit is less than 10 acres, show gross income produced from agricultural purposes for the last three years:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

TAX DIST	PARCEL NUMBER	ACRES
C06	C06-031800 6-5-5-W-PT NW	84.15
C06	C06-035500 5-7-13-W PT SE SE PT NE 1	192.56
C06	C06-057200 6-5-8 PT S PT NW 6-5-17 64.58	
C06	C06-058100 6-5-8 SPT NW 1 N PT SW	30.37
C06	C06-058200 6-5-17 CEN PT NE	5.67
C06	C06-058230 6-5-8 PT S PT NW	24.61
C06	C06-058700 6-5-7 E Side SE	40.32
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C06	C06-058730 6-5-7 PT W Side SE	40.32
C06	C06-080826 6-5-16 Lot 35	1.37
D08	D08-105802 IN Lot 10158	15.00
D08	D08-105804 IN Lot 10159	90.00
M43	M43-000001 6-6-32 SW PT SW 1	62.02
TOTAL ACRES		672.36

RECEIVED

FEB 10 2017

MIAMI COUNTY AUDITOR

I declare that this report has been examined by me and to the best of my knowledge and belief is true and correct. I authorize the County Auditor to inspect the property described above to verify the accuracy of the application. Neal Moore Farms LLC, Neal Farms Inc., Martin Neal

Neal Moore Farms LLC By Martin Neal 2-9-17 939-216-2268  
SIGNATURE OF OWNER DATE PHONE NUMBER

MIAMI COUNTY Auditor Office - 201 W MAIN ST - TROY, OH 45373

**ORDINANCE No.** O-7-2017

Dayton Legal Blank, Inc.

**ORDINANCE ACCEPTING THE DEDICATION OF A  
RIGHT-OF-WAY**

**WHEREAS**, a plat for the dedication of 0.310 acres of part of Inlots 7833, at 3035 McKaig Road, located just east of Concord Elementary School, was presented to the Planning Commission of the City of Troy, Ohio; and

**WHEREAS**, such plat has been submitted to this Council for approval.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, as follows:

**SECTION I:** That 0.310 acres of part of Inlot 7833 in the City of Troy, Ohio, as shown on the attached plat as Exhibit "A", presented to Council and now on file with the Clerk of Council, is hereby accepted and dedicated to a public purpose.

**SECTION II:** That the proper officials of the City of Troy, Ohio are hereby authorized to execute such plat, and authorized to file said dedication plat for record in the Office of the Recorder of Miami County, Ohio.

**SECTION III:** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

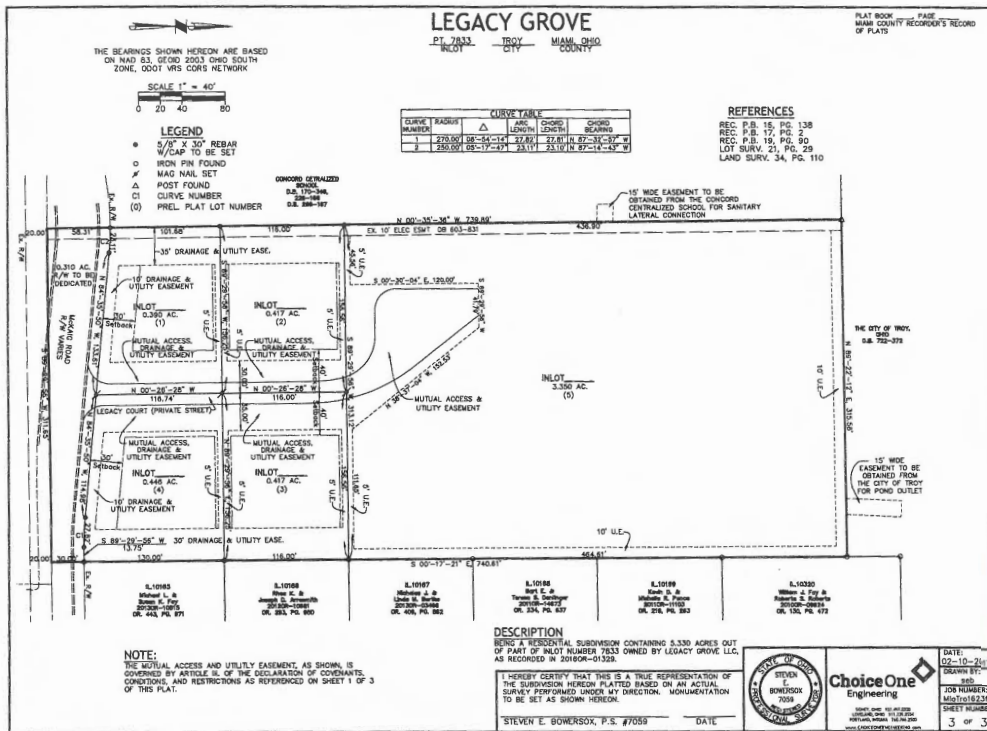
Approved: \_\_\_\_\_

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor



# Exhibit "A"





MEMORANDUM

TO: Mrs. Baker, President of Council

FROM: Sue Knight for the Troy Planning Commission

DATE: February 8, 2017

SUBJECT: REPORT OF THE PLANNING COMMISSION - PROPOSED AMENDMENTS TO THE ZONING CODE RELATED TO MEDICAL MARIJUANA

At the February 8, 2017 meeting of the Troy Planning Commission, the Commission reviewed a recommendation from City Staff (attached hereto) that the Planning Commission now recommend that Troy City Council establish a City-wide ban on cultivating, processing, or the retail dispensing of medical marijuana.

As was reviewed by the Commission, Council has established a second 180 day moratorium related to cultivating, processing and dispensing medical marijuana so that there would be time to consider if amendments to the zoning code should be recommended to respond to the new state law permitting certain functions related to medical marijuana -- Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. The review at the February 8 meeting followed legislation not being adopted by Council based on the Commission's prior recommendation that there be a City-wide ban on the cultivating and processing of medical marijuana and that retail dispensaries be limited to a total of three but only within the B-4 Zoning District. The Troy Planning Commission determined not to hold a public hearing on these proposed amendments to the Zoning Code related to medical marijuana. The Commission also determined to separate a recommendation on the subject of a City-wide ban on cultivating and processing from that of retail dispensing.

**CULTIVATING AND PROCESSING OF MEDICAL MARIJUANA.**

By unanimous vote the Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish a City-wide ban on cultivating and processing medical marijuana within the City of Troy, as recommended by City Staff.

**DISPENSING OF MEDICAL MARIJUANA.**

The Troy Planning Commission recommends to Troy City Council that the Zoning Code of the City of Troy, Ohio be amended to establish the number of permitted retail dispensaries of medical marijuana to one in the City of Troy, provided that any such dispensary may only be located in the B-4 (Highway Service Business District) zoning district. This motion passed by a vote of five to one (one member was absent).

Council's public hearings on these Zoning Code amendments will be held at the March 20 meeting.

This matter is forwarded herewith for consideration of Troy City Council.

encl.



**MEMORANDUM**

**TO:** Troy Planning Commission

**FROM:** Tim Davis, Assistant Development Director

**DATE:** February 8, 2016

**SUBJECT:** Recommendation Regarding Medical Marijuana

---

**RECOMMENDATION:**

In order to preserve the public peace, health, and safety of Troy, Ohio, Planning Commission considers a city-wide ban on cultivators, processors, and retail dispensaries as defined by Chapter 3796 of the Ohio Revised Code.

**BACKGROUND AND DISCUSSION:**

In June, Ohio became the 25<sup>th</sup> state to enact legislation allowing for the medicinal use of marijuana by approving House Bill 523. This bill enacted Chapter 3796 of the Ohio Revised Code, which became effective on September 8, 2016. Chapter 3796 authorizes the use of marijuana for medical purposes and establish the Medical Marijuana Control Program, which allows people with certain medical conditions, upon the recommendation of an Ohio-licensed physician certified by the State Medical Board, to purchase and use medical marijuana.

There are many aspects to the Chapter 3796 of the O.R.C but the following are requirements of the program that impact municipalities:

**Zoning**

- Authorizes the legislative authority of a municipal corporation or a board of township trustees to adopt regulations to prohibit or allow retail dispensaries, cultivators, and processors.
- Prohibits a cultivator, processor, retail dispensary, or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground, or public park.

On July 18, 2016, Troy City Council approved Ordinance O-36-2016, which provided a moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On August 10, 2016, Planning Commission discussed placing a ban on retail dispensaries, cultivators, and processors as defined by Chapter 3796 of the Ohio Revised Code, but members questioned whether it may be in the best interest to allow a limited number of dispensaries



instead of banning them completely. It was decided to table the issue until a full representation of the Planning Commission was available.

On September 14, 2016 Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- A maximum of five marijuana retail dispensaries throughout the city, provided:
  - Location is permitted only within a B-1 (Local Retail District), B-2 (General Business District) or B-4 (Highway Service Business District) zoning district; and
  - Location is not permitted within the B-3 (Central Business District) zoning district; and
  - Location is not permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

From October through November, City Council held several meetings regarding this issue and made amendments to Planning Commission's recommendations including the reduction of marijuana retail dispensaries from five to three to zero. On November 21, 2016, City Council failed to approve any legislation related to marijuana cultivators, processors and dispensaries.

On December 5, 2016, City Council approved Ordinance O-59-2016, which provided another moratorium for a period of one hundred and eighty days on the granting of any permit allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Troy.

On December 14, 2016, Planning Commission recommended to City Council the following:

- A city-wide ban on cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.
- Allow a maximum of three marijuana retail dispensaries throughout the city, provided:
  - Location is permitted only within a B-4 (Highway Service Business District) zoning district; and
  - Location is not permitted within the Historic District as defined by the City of Troy Zoning Code, regardless of the zoning designation.

On February 6, 2017, City Council failed to approve the Planning Commission's recommendation related to marijuana cultivators, processors and dispensaries. This issue comes back to the Planning Commission for a discussion and recommendation to City Council.

To recap, Planning Commission and City Council agree that a city-wide ban on cultivators and processors are needed. The issue is whether or not to allow retail dispensaries inside city limits. Planning Commission has recommended to City Council a maximum of three and a maximum of five retail dispensaries, both of which were not adopted by City Council. Members of City Council stated they voted against Planning Commission's most recent recommendation because they wish to not allow any retail dispensaries within the City of Troy. Based upon this statement and the direction of City Council's previous actions, staff is proposing a city-wide ban

on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.

**REQUESTED ACTION:**

It is requested that Planning Commission recommend to City Council a city-wide ban on retail dispensaries, cultivators and processors as defined by Chapter 3796 of the Ohio Revised Code.



**ORDINANCE No.** O-8-2017

Dayton Legal Blank, Inc.

**AN ORDINANCE ENACTING SECTION 1149.13 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO CULTIVATORS AND PROCESSORS OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO**

**WHEREAS**, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to cultivators and processors of Medical Marijuana and has recommended approval of said amendments; and

**WHEREAS**, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

**WHEREAS**, Troy City Council has reviewed the Zoning Code of the City of Troy, Ohio and determined that appropriate changes are necessary; and

**WHEREAS**, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of cultivators and processors of medical marijuana within the corporate limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I.** That Section 1149.13 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

**"Section 1149.13 Prohibition of Medical Marijuana Cultivation and Processing:** No person or entity shall establish or maintain land, buildings, or premises for the use of medical marijuana's cultivation or processing. For purposes of this section, "medical marijuana cultivator," and "medical marijuana processor", shall be defined as set forth in Chapter 3796 of the Ohio Revised Code as amended from time to time".

**SECTION II.** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

Clerk of Council

\_\_\_\_\_  
Mayor

**ORDINANCE No.** O-9-2017

Dayton Legal Blank, Inc.

**AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO, RELATED TO RETAIL DISPENSARIES OF MEDICAL MARIJUANA WITHIN THE CITY OF TROY, OHIO**

**WHEREAS**, the Planning Commission of the City of Troy, Ohio has reviewed proposed amendments to the Zoning Code related to retail dispensaries, cultivators, and processors of Medical Marijuana and has recommended approval of said amendments; and

**WHEREAS**, at least thirty days' notice of the public hearing regarding said Zoning Code amendments has been provided in a newspaper of general circulation; and

**WHEREAS**, Troy City Council has reviewed Section 1143.16 of the Zoning Code of the City of Troy, Ohio and other provisions of the Zoning Code of the City of Troy, Ohio, and determined that appropriate changes are necessary; and

**WHEREAS**, Ohio Revised Code Section 3796.29 allows municipalities to prohibit and/or limit the location of retail dispensaries of medical marijuana within the corporate limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Troy, Ohio, as follows:

**SECTION I.** That Section 1149.14 of the Codified Ordinances of the City of Troy, Ohio, is hereby enacted to read as follows:

**"Section 1149.14 Medical Marijuana Dispensaries:**

- (a) That a maximum limit of one (1) Medical Marijuana dispensary as defined by Chapter 3796 of the Ohio Revised Code may be permitted within the corporate limits of the City of Troy, Ohio.
- (b) That Medical Marijuana dispensaries, as defined by Chapter 3796 of the Ohio Revised Code, may not be permitted within the Historic District of the City of Troy, Ohio, as defined by the Zoning Code of the City of Troy, Ohio, regardless of zoning classification."

**SECTION II.** That Section 1143.16(b) of the Zoning Code of the City of Troy, Ohio is amended to include a new subsection as follows:

"1143.16(b) Principal Permitted Uses.

"Medical Marijuana dispensaries".

**SECTION III.** That this Ordinance shall be effective at the earliest date allowed by law.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor



City of Troy

## ITEMS OF INTEREST

**TO:** Mayor Beamish  
Mrs. Baker, President of Council  
Council Members

**FROM:** Patrick E. J. Titterington, Director of Public Service and Safety

A handwritten signature in black ink, appearing to be "P. Titterington", written over the printed name.

**DATE:** March 3, 2017

We are providing the following for your information:

- Major Project Update:
  - Hobart Arena Renovation and Expansion – The renovation began on February 29, 2016. After being initially closed to the public on July 11, ice was put back down in September. Construction is nearing completion as Health Department and Building Department final inspections are occurring. Substantial completion of the project is estimated to be the first quarter of 2017.
  - Extra High Service (EHS) Water Tower – The tower bowl is visible to the west of the existing Stanfield tower. Construction is beginning again, but continues to be dependent upon the weather. Substantial completion is estimated for the fall of 2017.
- The Dye Mill Road Facility reopens with expanded hours on Monday, March 6 and is scheduled to remain open through December 2. The expanded hours are Monday, Tuesday, Thursday and Friday 11:00 am - 7:00 pm, Saturday 9:00 am - 3:00 pm, and closed on Wednesday and Sunday.
- Troy was selected to be the starting point for the first segment of the Warrior 150 on March 18. The Warrior 150 is a non-competitive hiking event to commemorate the service of veterans to our nation. The event will be divided into five segments taking place between March 18 and Veterans Day. The Troy portion of the hike will begin at 7:00 am on the bike path near the Adams Street Bridge.
- Recreation Director Ken Siler reports that the Western Ohio Home Builders Home & Garden Show held February 24-26 at the Hobart Arena was very well attended.

- Park Superintendent, Jeremy Drake advises that much of the Park Department's focus this winter has been on removing and trimming trees.
- Attached is a copy of the flyer provided by Director of Golf Ken Green regarding an Open House at Miami Shores Golf Course on March 16 from 4:00 – 6:00 pm.
- Attached is a copy of the informational flyer announcing that the residential refuse collection service will become an automated system using carts effective May 1. This flyer is to be included in the water bills that will be mailed March 6, March 21, April 5, and April 21. That schedule will provide for the flyer to be mailed twice to the residence.

**Upcoming Events at Hobart Arena**

March 3 & 4	OHSAA Regional Wrestling Tournament
March 25	Signs of Life- The American Pink Floyd Concert
April 1	World Championship Ice Racing
April 9	Best of John Williams- Dayton Philharmonic Orchestra
April 29	Dayton Feis Irish Dance Competition
May 6	Queensryche

**Calendar of Meetings**

March 6	7:00 p.m.	Council	City Hall Council Chambers
March 7	4:00 p.m.	Park Board	City Hall
March 8	3:30 p.m.	Planning Commission	City Hall
March 15	4:00 p.m.	Rec Board	Hobart Arena
March 20	7:00 p.m.	Council	City Hall Council Chambers
March 22	3:30 p.m.	Planning Commission	City Hall
April 3	7:00 p.m.	Council	City Hall Council Chambers

If you have any questions, please do not hesitate to contact this office.

Enclosure

cc: Department Heads



# Open House

Miami Shores Golf Course

March 16<sup>th</sup>

4:00 – 6:00 PM

**Come see what is happening at Miami Shores in 2017!**

*The snack bar will be open and have refreshments available.*

*The Pro Shop will be open for membership, league and tournament questions. Also on hand for more information, will be representatives from the Operation Recreation Committee to answer any questions about the upcoming levy in May. Don't forget to get your 2017 golf gear located in the Pro Shop!*

## Have questions?

**All staff will be on hand to answer any questions you may have. We will have equipment demonstrations, equipment out for display and staff available to discuss topics about course maintenance!**

Ken Green, Director of Golf ■ Ryan Leach, Groundskeeper ■ 402 E. Staunton Road, Troy, Ohio  
Questions? Call Ryan at 937-339-5633.





City of Troy

## Solid Waste Program Rules & Guidelines

The City of Troy is pleased to announce that trash/refuse collection service has changed to an automated system using carts. This system is exactly like the operation currently being used for the collection of recycling. No longer will individual cans or bags be collected by the city. The City of Troy will provide its residents with a 65 gallon cart to be used for trash/refuse collection. Please review this handout for the correct procedures to follow when placing out your weekly trash/refuse, and any special trash items. Your trash collection day, and the list of acceptable items that can be placed out for pickup remains the same.

### Cart Placement



1. Face the cart towards the street (wheels towards curb).
2. Position the cart within **two feet** of the curb.
3. Avoid placing the cart near a parked car, mailbox or fire hydrant (keep a **three foot** distance from other objects).
4. Be aware of low overhead clearances, tree limbs, guide wires, etc.



**Correct!**

Proper placement,  
Lid closed and trash  
securely in cart.

Please keep all trash/refuse items inside the cart and make sure they are not obstructing the lid from closing. Any items that are placed next to the cart will not be picked up. If you place any items on top of, or leaning against the cart, your cart will not be emptied.

Continued on back side ➡



**Incorrect!**

Trash placed on top of or next to cart, lid not fully closed.



**Incorrect!**

Special Trash Items placed on or too close to cart, or in front of cart.



**Correct!**

Special Trash Items placed behind cart and clear of cart.

Please keep all special trash items placed free of the cart, place the items in the curb lawn behind the cart. If special trash items are placed on or too close to the cart, neither the special trash items or the cart will be picked up. Special trash, bundled brush and t-bags will be collected by a separate truck on your trash day.

The projected start date for the refuse cart program is May 1, 2017. This will be the first day that the city will start picking up trash in the carts, trash placed in carts prior to this date will not be picked up. The carts will be delivered in the weeks prior to May 1, 2017.

If you have any questions about the placement of the cart, or what items can be placed in the cart, please call Jerry Mullins at (937)335-1914 ext. 1225





**Operations**  
**Items of Interest**  
March 3, 2017

**Street/Solid Waste – Jerry Mullins, Foreman**

- Collected and transported 221 tons of residential trash since the last report of 209 tons.
- Handled three recycling complaints and one trash complaint.
- Collected several compliant brush piles and T-bags.
- As staff is seeing leaves placed to the front of the residence for collection, we are advising those residents to place their leaves in City of Troy yard waste bags.
- Assisted the Park Department with removal of trees on Peters Road.
- The Dye Mill Road Compost Facility will be re-opening on March 6. We have been receiving calls from citizens already wanting to gain access to the Dye Mill Road Compost Facility since the weather has been nice enough for them to work in their yards. Most of them are looking for a place to get rid of leaves.
- Received the new automated trash trucks and trash carts at the maintenance garage. Informational mailings about the new waste collection process will be sent out in March and April.
- Made 12 pothole repairs with our infrared machine and cold mix.
- Straightened over 350 leaning sign posts and replaced more than 400 faded or damaged signs over the last month.
- Continued sweeping the city as the warmer than usual weather has allowed us to continue this operation during a time that usually finds the sweeper in storage.
- Picked up roadside trash along W. Main Street in front of Ruby Tuesday and Bob Evans.

**Electrical – Brian Ferree, Foreman**

- Completed Ohio Utilities Protection Service requests as needed.
- Completed the monthly safety report for the month of March.
- Removed the mini-lights from the downtown trees.
- Repaired several roof mounted lights at Hobart Arena.
- Hung the American flags downtown for Presidents Day.
- Completed the installation of the garage door control wiring at Fire Station #3 for six garage doors.
- Repaired a fluorescent light at City Hall.
- Repaired a light in the men's restroom at the Police Station.

### Water Distribution/Sewer Maintenance - Tom Parsons, Foreman

- Marked numerous Ohio Utilities Protection Service tickets.
- Worked on numerous work orders for Billing and Collection.
- Completed non-pay shut-offs and reconnected them as they were paid.
- Investigated numerous high consumption alerts.
- Upgraded water services at two residences: one on Chelsea Road and one on Counts Street.
- Worked on the water line at Archer Park restroom.
- Repaired valve box at S. Dorset Road and SR 718.
- Hydro-excavated to expose electric lines at the marina building and located water line at the fairgrounds.
- Replaced three catch basins on S. Dorset Road.
- Repaired manhole on Dronfield Road.
- Ran sewer hot spots.
- Worked on paving list.

### Water Treatment Plant – Jeff Monce

- For the period of February 2017, the WTP pumped a total of 94.375 million gallons (MG) to our distribution system and customers in West Milton and parts of Miami County (avg. 3.37 MG/day). Total precipitation recorded at the WTP for February was 1.47". Respective totals for February in previous years are:

2016: 92.347 MG; 2.68"  
2015: 102.614 MG; 2.00"  
2014: 108.482 MG; 1.47"  
2013: 115.595 MG; 2.75"  
2012: 94.603 MG; 3.01"  
2011: 109.387 MG; 5.77"  
2010: 112.349 MG; 0.77"  
2009: 105.264 MG; 2.39"  
2008: 116.920 MG; 4.07"  
2007: 114.235 MG; 3.79"

- A total of 6,081,823 gallons were pumped to the Extra High Service pressure zone during the month of February, for an average daily consumption of .210 MG.
- Seven bulk water account holders withdrew a total of 37,300 gallons during the month of February.
- A \$4,000 energy efficiency rebate for the Low Service Pump 2 VFD has been approved by DP&L and a check will be issued in March.
- Asst. Superintendent Ralph Walters conducted a plant tour for nine ladies from the Troy Senior Citizens on February 20.
- Steve Suerdick Jr. completed installation of four sludge lagoon staging ramps. Reagent Technology will arrive on March 6 to begin removal of 6,000 dry tons of softening sludge from the east lagoon. All costs for removal are paid by the City of Dayton under the 2013 Lime Agreement.

- The OEPA-mandated Lead Service Line and Fixture Mapping Project was submitted on February 28.

### **Wastewater Treatment Plant – Mitch Beckner**

- The Troy Wastewater Treatment Plant is very happy to welcome Tony McCain as its newest Operator. Tony has seven years of experience in the field and is an OEPA Class I Licensed Operator. In 2010, Tony interned with the City at our Plant while accumulating the hours required for his certification. The addition of Tony brings us back to full staff for the first time since Tim Snider's retirement.
- Our City Electricians have installed the wiring for a second pump at the Traders Lift station on South Co Rd 25-A. They also helped troubleshoot and repair our Effluent Blower which was found to have a broken terminal strip in the Motor Control Center. The damaged strip had caused intermittent operational problems and multiple blown fuses.
- Troy Wastewater Treatment Plant staff is currently completing the updating of our Safety Data Sheet system. This process involved taking a full inventory of all chemicals, cleaning products, paints, and other potentially hazardous substances currently in use throughout the Plant. Current, up-to-date information was on the products was then gathered, a hard copy of this information was placed in a central location, and the info was scanned into electronic form so that it is readily accessible at any time via the plant's Wi-Fi network.



**Items of Interest  
Engineering Department  
March 1, 2017**

**PROJ #                      PROJECT TITLE    PROJECT STATUS**

**PUBLIC WORKS AND CITY FACILITY PROJECTS**

2014-16	Hobart Arena Renovation and Expansion	MSA Architects designed this project. Monarch Construction, Inc. is the general contractor. Every week construction coordination meetings are occurring with the contractor and MSA. Construction is nearing completion as health and building department final inspections are occurring. Substantial completion of the project is nearing with the last component being completion of the west entry. Also, the contractor is working on punch list items. It is anticipated Hobart Arena will be opening for walking in the next month once the contractor is out of the corridors.
2014-17	Marina & Boathouse Renovation	Final inspections were completed and approved. Final punch list and retainage release is ongoing.
2014-12	Extra High Service (EHS) Water Tower	The Water Tower project has been awarded to CB&I Constructors, Inc. The tower bowl can be seen to the west of the existing Stanfield Tower. Construction is beginning again, but heavily dependent upon weather. Completion is estimated in Fall 2017. A 2017 preconstruction meeting has been scheduled for the end of March.
2015-01	MIA - Troy East Main Street Downtown Streetscape (PID 93240)	Reimbursement is being requested. Final assessment ordinance has been approved by Council and bills have been sent to residents prior to assessing on property taxes. Bills are due by the end of March. Staff is submitting for grant reimbursement to ODOT.
2015-04	Nottingham Subdivision Sewer Gravity	Access Engineering, LLC was authorized to design a gravity sewer from the Nottingham Subdivision to Piqua-Troy Road at Troy-Urbana Road. Easement requests are being coordinated with the property owners. Final design is completed and coordination with the developer is anticipated by the end of 2017.
2015-10	Troy Recreational Trail Resurfacing (PID 100778)	Council approved the ODOT LPA Agreement including accepting ODOT funding and finalizing bike path easements according to federal regulations. Resurfacing is scheduled to occur SFY 2020 (calendar year July 2019). The project will be Local-Let (i.e. implemented by City Staff) and will be funded 80/20 ODOT/Troy. A PO was issued for the engineering consulting work. Staff continues right-of-way acquisition with MCD, CSX, Troy schools and a couple of other property owners.
2014-08	McKaig Road Improvements Phase 3	This phase included work from Madison Street (RR tracks) to the alley west of Lake Street (end of Heywood Elementary property). Finrock Construction Co. was awarded the project at a cost not to exceed \$1,170,000.00. Base asphalt has been placed between Ridge and Madison Street (RR tracks). Construction is completed and retainage is released. The project is closed out other than a final bill from the engineer and OPWC reimbursement.
2015-23	North Market Street Improvements Phase 2	This phase includes work from Kirk Lane/Foss Way to Stonyridge Avenue. Council authorized Choice One Engineering Corporation to design the project. Construction is anticipated to occur in 2017. Design is progressing with bidding anticipated in early 2017. A Resolution of Necessity for sidewalk assessments will be requested for Council consideration.
2015-34	West Main Street Corridor Study from I-75 to Cherry Street	This project analyzes West Main Street between I-75 and downtown for capacity and multiple modes of transportation in order to improve safety. Council authorized an agreement with Strand Associates, Inc. Data collection phase and analysis of the street has begun.

**Items of Interest  
Engineering Department  
March 1, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
2016-09	Miami Shores Clubhouse Renovation	Request for Proposal (RFP) was due last week and responses are being reviewed.
2016-12	Waterline Replacement Program	Design is progressing with Access Engineering to design waterline improvements in the following locations in the City: Franklin Street between Oak Street and East Main Street, on Ellis Street between Franklin Street and Race Drive, and on South Counts Street between Martin Street and East Main Street. Bids were received on February 22 and are being reviewed.
2016-17	South Stanfield Stormwater Extension	Design is progressing with Choice One Engineering Corporation for an outlet around 701 S. Stanfield Rd. Council authorized the project. Bid opening is scheduled for March 16.
2016-26	West Milton Regionalization Phase 2	Council authorized the next phase of the project for additional analysis and breakdown of the City acquiring, operating and maintaining West Milton's water system. A meeting for review of existing analysis and assumptions occurred with Troy staff and West Milton. The previous water study assumptions are being reviewed.

**ANNUAL PROJECTS**

	Paving Program 2017	Staff has begun updating and reviewing streets throughout the City in need of resurfacing for 2017.
	Sidewalk Program 2016	Contract quantities were obtained/measured for the 2016 sidewalk repair program, which is located in the following location: areas along S. Plum St., S. Cherry St., S. Walnut St. and S. Mulberry St. between Main St. and Franklin St.; S. Market St., S. Walnut St. and S. Mulberry St. between E. Franklin St. and E. Canal St.; and the area encompassed by S. Market St., E. West St., S. Clay St., Ross St., and S. Mulberry St. which include the following streets Young, Enyeart and Dakota. Contract was awarded to the low bidder being LJ DeWeese Co, Inc. of Tipp City. Contractor is removing trees and preparing to begin spring construction season in project area.
96435	MIA - 55 - 11.83 Bridge Redecking North Market Street (PID 96435)	ODOT-Let and funded project. Graffiti has occurred under the bridge. The bridge along the bike path is under surveillance due to vandalism. City is awaiting the invoice for resurfacing work completed. A post construction meeting occurred to review the construction phase with ODOT.
	ADA Curb Ramps	ADA ramps will be replaced in the approximate location of the 2016 Sidewalk Program. Council authorized bidding of the ADA Curb Ramps utilizing CDBG Funds. Project will advertise under the Economic Development Department.
2015-11	Updating City Construction Standards	Staff is working with Choice One Engineering Corporation (COEC) to update the standards. A review meeting occurred and updates are being completed by COEC. Staff and COEC are exchanging markups to finalize set.
	Sensus Analytics Controlled Launch	Pilot testing is ongoing and coordination continues with Sensus and CMI. Sensus training occurred in the last couple of weeks. Awaiting Sensus to work out final bugs before going live.
	GPS Data Collection	Collection of data continues. Staff is obtaining OUPS markings from the Vectren bare steel/cast iron gas main replacement work occurring throughout the City and other construction/maintenance activities from City staff or contractors.
	Sidewalk, Driveway, Water, Sewer, and Sump Inspections	Inspections are continuing to be completed as requested with replacements and new development.



**Items of Interest  
Engineering Department  
March 1, 2017**

PROJ #	PROJECT TITLE	PROJECT STATUS
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**SUBDIVISION PROJECTS**

2016-10	Stonebridge Meadows	Section 2 and Section 3 construction has intermediate asphalt and punch list items being completed for final asphalt. Section 4 contractor has intermediate asphalt placed and house construction is progressing. Staff has been notified that Section 5 will be proposed in the coming months.
2016-02	Legacy Grove	A developer has submitted revised final plat of land along McKaig Road east of Concord Elementary School. Staff reviewing for return to developer. Staff is requesting acceptance of dedication of Right-of-Way by Council.
2015-07 2016-15 2016-25	Halifax	Section 1 construction is complete. House construction is ongoing. Staff is awaiting feedback for lighting options with the developer. Section 2 and Section 3 approved by Council. A preconstruction meeting is scheduled in the next couple of weeks.
2015-06	Nottingham	Developer requested that Section 8 be closed out; contractor is completing the punch list. Section 9 has intermediate course of asphalt placed and house construction is progressing. Section 10 is beginning design and will go to Planning Commission in the next month.
2012-08	Edgewater	Section 7 has obtained final course of asphalt, and final buildout is close to completion. Section 8 has intermediate asphalt. Housing construction has begun.
2007-19	Pleasantview Estates	Section 3 is awaiting final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch lists have been completed and will be sent to the developer in order to attempt to complete the subdivision. Section 4 plat has been approved. Construction has not begun.
2003-35	Villages of Concord (formerly Oakmont)	Section 5 is awaiting final punch list and final course of asphalt. Due to the lack of construction progress in recent years, the City is investigating the potential of completing the subdivision via a special assessment process. Punch list has been created and forwarded to the developer in order to attempt to complete the subdivision. Staff has reached out to the developer to encourage completion of the development without the assessment process. Staff is formulating a letter to the developer.



City of Troy

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Troy, Ohio 45373  
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**MEMORANDUM**

**TO:** Patrick E.J. Titterington, Director of Public Service and Safety

**FROM:** Tim Davis, Assistant Development Director

**DATE:** March 1, 2017

**SUBJECT:** *Items of Interest Report*

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I have attached two reports which summarize concerns that are being addressed by the Economic Development Department from February 15, 2017 to March 1, 2017.

The first report shows all permits that were issued. The permits have been separated by the wards of which they fall. There were 10 permits issued during this time period.

The second report contains the address, type of concern, and a summary of the current status of on-going violations. Both open and closed concerns are listed. These concerns are separated by the wards of which they fall. There were 18 violations addressed during this time period.

All costs associated with the removal of trash and elimination of noxious weeds will be invoiced to the property owner. Should the property owner fail to pay the invoice, the cost will be assessed to the property taxes.

# Permit Activity Report

2/15/2017 - 3/1/2017

<u>Project Address</u>	<u>Ward</u>	<u>Permit Type</u>	<u>Description</u>	<u>Assigned To</u>	<u>Permit Date</u>	<u>Total Fees</u>
1069 WINDMILL CT	1	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	2/17/2017	\$111.14
504 OHIO AVE	2	Zoning-Accessory-Residential	GARAGE	Shannon Brandon	2/28/2017	\$25.00
2636 SHADY TREE DR	4	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Duane Puckett	2/23/2017	\$99.65
1151 SUMMIT AVE	4	Zoning-Accessory-Residential	SHED	Shannon Brandon	2/23/2017	\$25.00
1251 KELLER DR	5	Zoning-Accessory-Residential	PATIO	Duane Puckett	2/28/2017	\$25.00
1840 TOWNE PARK DR	6	Change of Occupancy	NEW CONSTRUCTION PHASE 1: R-2 & A-2 WINGS	Duane Puckett	2/23/2017	\$50.00
1501 EXPERIMENT FARM ROAD	6	Sign Permit-Temporary	TEMPORARY SIGN	Duane Puckett	2/17/2017	\$25.00
1149 RED MAPLE DR	6	Zoning-Residential-New	SINGLE FAMILY RESIDENCE W/BASEMENT	Shannon Brandon	2/15/2017	\$96.98
540 BAYWOOD CT	6	Zoning-Accessory-Residential	COVERED PATIO	Shannon Brandon	2/15/2017	\$25.00
2544 WINFIELD CT	6	Zoning-Accessory-Residential	SHED	Shannon Brandon	2/15/2017	\$25.00
<b>TOTALS</b>						<b>\$507.77</b>

Total Records: 10

3/1/2017



## Violation Activity Summary

2/15/2017 - 3/1/2017

Case #	Case Date	Assigned To	Site Address	Ward	Type of Violation	Status	Description	Activity Status
20170105	2/23/2017	Shannon Brandon	1126 MAPLECREST DR	1	BRUSH LETTER	Closed	2-23-17 sb Received complaint about wood and brush in backyard. I inspected, there are boards stacked up neatly. There was a pile of limbs lying on a concrete pad. I called Marsha at Keystone Homes and asked if they would get the brush removed so I didn't have to send a letter. She said she would let Tony Scott know. 2-27-17 sb Brush gone. Close.	Debris Removed
20170116	2/27/2017	Shannon Brandon	249 RIVERSIDE DR	2	ZONING PROBLEM	Closed	2-27-17 sb Received complaint from neighbor about the fence on this property. Complainant can't remember when the fence went up, but claims they did it without a permit. I checked aerials from our old GIS and I see there is a fence at that time. I am not pursuing this as it is possible the fence was there prior to 2006 when we started requiring permits.	Closed
20170101	2/23/2017	Shannon Brandon	508 MICHIGAN AVE	2	TRASH & DEBRIS	Closed	2-23-17 sb Received a complaint about excess trash. This property cleaned out their garage and set out all the excess trash at the curb. I called and left a message for the owner, Amy Mooney, 937-431-8418, and let her know that we won't take it. I told her to remove the trash by 2-27-17 or I would have to send a violation letter. Follow up 2-27-17. 2-27-17 sb Trash gone. Close.	Trash Removed
20170104	2/23/2017	Shannon Brandon	112 E MAIN ST	2	SIGN VIOLATION	Open	2-23-17 sb Grilliot Insurance has been gone from this building over 6 months ago; sign still on building. Obsolete sign letter. Certified, follow up 3-24-17	Open
20170106	2/23/2017	Shannon Brandon	116 E WATER ST	2	TRASH & DEBRIS	Open	2-23-17 sb Cleanout, certified, follow up 2-28-17	Open
20170102	2/23/2017	Shannon Brandon	708 N MARKET ST	2	ZONING PROBLEM	Closed	2-22-17 sb Complaint of people living in a camper at this property. I inspected, did not even see a camper here. 2-23-17 sb Inspected again, no camper. Close.	Close
20170100	2/21/2017	Shannon Brandon	106 E MAIN ST	2	SIGN VIOLATION	Closed	2-21-17 sb Tel John Wilson at Troy Main Street to get number of Trojan City Music. He volunteered to call Trojan City and let them know they need to turn their OPEN sign to static. 2-24-17 sb Sign turned to static. Close.	Completed
20170112	2/24/2017	Shannon Brandon	722 MCKAIG AVE	3	TRASH & DEBRIS	Open	2-24-17 sb Trash bags out front, loose trash and tires along Garfield. Bunch of trash between back steps and garage. Certificate, follow up 3-1-17. 2-28-17 sb Susan Fogt tel. She is cleaning out the garage. Gave her until 3-6-17	Open
20170114	2/24/2017	Shannon Brandon	1314 E MAIN ST	3	SIGN VIOLATION	Open	2-24-17 sb A-frame sign out front. Sending violation letter to remove illegal sign by 3-3-17. If not, remove myself	Open
20170115	2/27/2017	Shannon Brandon	847 W MAIN ST	4	SIGN VIOLATION	Open	2-27-17 sb Spoke to Jim, the manager. Explained that the blue around the OPEN sign was blinking, asked him to turn to static. He said "really? That's the reason for the call". He's not happy.	Open
20170108	2/24/2017	Shannon Brandon	1012 MCKAIG AVE	5	TRASH & DEBRIS	Open	2-24-17 sb Yard full of brush and trash all over. Certified, follow up 3-6-17	Open
20170109	2/24/2017	Shannon Brandon	1447 HENLEY RD	5	TRASH & DEBRIS	Open	2-24-17 sb Ditch full of trash, mattresses by dumpster. Certified, follow up 3-7-17. 2-28-17 sb Shawn Carnes tel. He will pick up the trash	Open
20170110	2/24/2017	Shannon Brandon	1415 HENLEY RD	5	TRASH & DEBRIS	Open	2-24-17 sb Trash in the ditch. Certified, follow up 3-9-17	Open
20170111	2/24/2017	Shannon Brandon	36 S NORWICH RD	5	TRASH & DEBRIS	Open	2-24-17 sb Trash in the ditch. Certificate, follow up 3-9-17	Open

20170103	2/23/2017	Shannon Brandon	140 S RIDGE AVE	5	BRUSH LETTER	Open	2-23-17 sb Brush along S Ridge and up the private drive. Huge piles, certificate, follow up 2-28-17	Open
20170107	2/23/2017	Shannon Brandon	1510 W MAIN ST	5	ZONING PROBLEM	Closed	2-23-17 sb Received complaint of potholes behind this building in the private drive area. Inspected, there is ONE rather large pothole but not enough I would normally write work orders on. Sending friendly letter asking owner to repair. Will keep an eye on it.	Close
20170113	2/24/2017	Shannon Brandon	10 S STANFIELD RD	6	OUTDOOR STORAGE	Open	2-24-17 sb Two pyramids of tires out in the grass along with a rack of tires. All outdoor storage. Certificate, follow up 3-28-17	Open
20170093	2/7/2017	Shannon Brandon	1750 W MAIN ST	6	SIGN VIOLATION	Closed	2-17-17 sb Had sent a letter to Logan's asking to repair the sign. Jarod at Logan's tel today, the sign is being repaired today. A transformer blew and they replacing it. If it's not completely done today, it will be tomorrow. Follow up 2-21-17. 2-21-17 sb Sign repaired. Close.	Completed

18 Items

2/15/2017

# MARCH 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 7:15-10:00AM FREESTYLE 5:45-6:45PM SQUIRT 6:55-7:55PM SQUIRT 8:05-9:05PM PEEWEE 9:15-10:15PM MIDGETS	2 7:15-9:00AM FREESTYLE 9:00-9:30AM PRESCHOOL 9:45AM-2:30PM GLASS OUT 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:30-6:45PM SKATE W/US START SETTING UP FOR WRESTLING	3 SWDAB WRESTLING	4 SWDAB WRESTLING
5 SWDAB WRESTLING (WEATHER DAY) OR TEAR DOWN	6 7:00AM FINISH TEARDOWN 2:30-5:00PM FREESTYLE 5:15-6:30PM SKATE W/US 6:45-8:00PM SQ GD/BL 8:10-9:00PM PEEWEE 9:10-10:00PM MIDGETS	7 7:15-10:00AM FREESTYLE 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:45-6:35PM IP/MITE 6:45-7:35PM MITE 7:45-8:35PM BANTAMS 8:45-11:30PM CANES & PUCKS	8 7:15-10:00AM FREESTYLE 1:00-3:00PM HOMESCHOOL 5:45-6:45PM SQUIRT 6:55-7:55PM SQUIRT 8:05-9:05PM PEEWEE 9:15-10:15PM MIDGETS	9 7:15-9:00AM FREESTYLE 9:00-9:30AM PRESCHOOL 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:30-6:45PM SKATE W/US 7:00-7:50PM MITE 8:00-8:50PM BANTAM 10:00-11:00PM MEGA CITY	10 7:15-10:00AM FREESTYLE 2:30-7:30PM FREESTYLE AND TSC	11 10:15AM - 12:15PM TSC
12 9:00-10:00AM THOMPSON 2:00-4:00PM YOUTH GROUP 8:00-11:00PM MEGA CITY	13 7:15-10:00AM FREESTYLE 2:30-5:00PM FREESTYLE 5:15-6:30PM SKATE W/US 7:30-9:00PM RAPP	14 7:15-10:00AM FREESTYLE 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB	15 7:15-10:00AM FREESTYLE 6:00-6:45PM INTO TO HOCKEY	16 7:15-9:00AM FREESTYLE 9:00-9:30AM PRESCHOOL 12:30-2:30PM HOMESCHOOL 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:30-6:45PM SKATE W/US 8:00-9:00PM MEGA CITY	17 7:15-10:00AM FREESTYLE 2:30-7:30PM FREESTYLE AND TSC	18 10:15AM - 12:15PM TSC 12:15-1:15PM TSC 5K SKATE 3:00-5:00PM JOINT TWP HOSPITAL SKATE
19 9:00-10:00AM THOMPSON 8:00-11:00PM MEGA CITY	20 7:15-10:00AM FREESTYLE 10:15AM-12:15PM HOMESCHOOL 2:30-5:00PM TEST SESSION 5:15-6:30PM SKATE W/US 7:30-9:00PM RAPP	21 7:15-10:00AM FREESTYLE 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 8:45-11:30PM CANES & PUCKS	22 7:15-10:00AM FREESTYLE 6:00-6:45PM INTO TO HOCKEY 7:00-10:00PM MEGA CITY	23 7:15-9:00AM FREESTYLE 9:00-9:30AM PRESCHOOL 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:30-6:45PM SKATE W/US 8:00-9:00PM MEGA CITY	24 7:00AM-NOON GLASS OUT 12:30-2:00PM ANNA SCHOOL 2:30-7:30PM FREESTYLE AND TSC START SETTING UP FOR CONCERT	25 SIGNS OF LIFE - PINK FLOYD
26 9:00-10:00AM THOMPSON 2:00-4:00PM ST PATS SCHOOL 7:00-10:00PM MEGA CITY	27 7:15-10:00AM FREESTYLE 2:30-5:00PM FREESTYLE 5:15-6:30PM SKATE W/US 7:30-9:00PM RAPP	28 7:15-10:00AM FREESTYLE 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 8:45-11:30PM CANES & PUCKS	29 7:15-10:00AM FREESTYLE 6:00-6:45PM INTO TO HOCKEY 7:00-9:00PM MEGA CITY	30 7:15-9:00AM FREESTYLE 9:00-9:30AM PRESCHOOL 3:00-3:45PM FREESTYLE 4:00-5:30PM JR. CLUB 5:30-6:45PM SKATE W/US 8:00-9:00PM MEGA CITY	31 7:15-10:00AM FREESTYLE 10:15AM-2:00PM GLASS OUT 2:30-7:30PM FREESTYLE AND TSC START SETTING UP FOR ICE RACING	
		NOTES:				

# March 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6 <i>7:00 p.m. Council</i>	7 <i>4:00 p.m. Park Board</i>	8 <i>3:30 p.m. Planning Commission</i>	9	10	11
12 	13	14	15 <i>4:00 p.m. Rec Board @ Hobart Arena</i>	16	17 	18
19	20 <i>7:00 p.m. Council</i>	21	22 <i>3:30 p.m. Planning Commission</i>	23	24	25
26	27	28	29	30	31	